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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,123	01/17/2001	Travis Parry	10002909-1	6519

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EXAMINER

AU, SCOTT D

ART UNIT	PAPER NUMBER
2635	

DATE MAILED: 06/04/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,123

Applicant(s)

PARRY, TRAVIS

Examiner

Scott Au

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 4/27/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The application of Parry for a "Wireless multi-function device" filed April 27, 2004 has been examined.

Claims 1-10 are pending.

Claim Objections

Claim 2 is objected to because of the following informalities: "switchabe" is written incorrectly. Examiner treats as "switchable". Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-10 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Referring to claims 1 and 6, nowhere in the specification describe the limitations that "a remote control circuit (ambiently) or (switchably) connected to the control circuit". Applicant cited page 3, lines 5-8 "The high frequency communication link may be switchable or ambient in the sense that if the wireless remote control is within the range

of transmission between the appliance and the remote control the devices may communicate" fail to teach the limitations. The limitations contain new subject matter. Examiner treats as "a remote control circuit connected to the control circuit".

Regarding claims 2-5 and 7-10 are rejected because the claims are dependent upon claims 1 and 6.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over August et al. (US# 5,671,267) in view of Pope (US# 5,963,624).

Referring to claims 1, 4-6 and 8-9, August et al. disclose a multi-function wireless communications device (10) (i.e. a handset unit) (col. 2, lines 27-33; see Figure 1-2) comprising:
a control circuit (110) (control unit) including a high frequency signal processor (i.e. microcomputer) (col. 4, lines 59-63);

an input device (360) (i.e. keypad) (col. 5, lines 22-26) connected to the control circuit (110);

a display device (325) (i.e. LCD display) (col. 5 lines 39-42) connected to the control circuit (110);

a remote control circuit (i.e. the circuitry comprises of 125, 127, 129 and 130)

connected to the control circuit (110) (col. 4 lines 42-52; see Figure 2); the

remote control circuit (i.e. the circuitry comprises of 125, 127, 129 and 130)

establishing a switchable communication link between the multi-function wireless

communications device (10) (i.e. a handset unit) and an appliance (60) (i.e. a receiving device) (col. 3 lines 1-16);

a telecommunications circuit (i.e. the circuitry comprises of 113, 114, 123 and 134)

connected to the control circuit (110), the telecommunications circuit (i.e. the circuitry

comprises of 113, 114, 123 and 134) including a radio signal processor circuit (110), a

radio receiver circuit (117,114) (i.e. receiver coupled to a duplexer) connected to the

radio signal processor circuit (110) and a radio transmitter circuit (117,113) (i.e.

transmitter coupled to a duplexer) connected to the radio signal processor circuit (110)

(col. 5 lines 1-20); and a switch (320) (i.e. switch) connected to the control circuit (110)

for switching operation of the multi-function wireless communications device between a

remote control circuit (i.e. the circuitry comprises of 125, 127, 129 and 130) and a

telecommunications circuit (i.e. the circuitry comprises of 113, 114, 123 and 134).

However, August et al. did not explicitly disclose the remote control circuit establishing an ambient high frequency communication link.

In the same field of endeavor of remote device, Pope discloses the remote control circuit establishing an ambient high frequency communication link (col. 4 lines 1-32; see Figures 1-2) to communicate with the electrical appliance.

One of ordinary skill in the art understands that ambient high frequency communication link of Pope is desirable in the remote device of August et al. because August et al. suggest the remote device establish an infrared communication link to the display device and RF communication link in telecommunication system (col. 3 lines 1-15 and col.5 lines 1-10) and Pope teaches handset (50) communicate the electrical appliance with high frequency (col. 4 lines 1-10). Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include ambient high frequency communication link type of Pope in the remote device of August et al. with the motivation for doing so would allow the communication of remote control circuit and telecommunication circuit to use the same frequency.

Claims 2-3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over August et al. (U.S# 5,671,267) in view of Pope (US# 5,963,624) as applied to the claims 1 and 6 above, and further in view of Yamashita (U.S# 6,223,034).

Referring to claims 2-3, 7 and 10, August et al. in view of Pope disclose a multi-function communication device of claim 1. Pope discloses high frequency communication link of remote control and telecommunication system and August et al. disclose wherein the multi-appliance remote control circuit further comprises;

A remote control circuit (i.e. the circuitry comprises of 125, 127, 129 and 130) comprises a remote control high frequency transmitter circuit (125) (i.e. infrared transmitter) connected to the control circuit (110) and connectable to high frequency communication link (col. 5, lines 55-60; see figure 2); and remote control high frequency receiver circuit (127) (i.e. infrared receiver) connected to the control circuit (110) and connectable to high frequency communication link (col. 5, lines 55-60; see Figure 2).

A telecommunications circuit (i.e. the circuitry comprises of 113, 114, 123 and 134) a radio transmitter circuit (113) connected to the control circuit (110) and connectable to a telecommunications system by a radio signal (col. 5, lines 2-20; see Figure 2); and a radio receiver circuit (114) connected to the control circuit (110) and connectable to the telecommunications system by radio signal (col. 5, lines 2-20; see Figure 2).

However, August et al. in view of Pope did not explicitly disclose the signal processor units for the remote control circuit and telecommunication circuit that connected to the remote control transmitter circuit, remote control receiver circuit and the control circuit.

In the same field of endeavor of wireless communication systems, Yamashita et al. teach that a signal processor unit (12) is connected to the remote control transmitter circuit, remote control receiver circuit (11) (radio unit) (col. 3, lines 27-33) and the control circuit (3) (CPU), wherein the control receiver and transmitter circuit for processing and frequency conversion of high frequency signals, and signal processing

unit for signals processing (col. 3, lines 27-31) are used in order to process baseband signals before and after sending the signal to the CPU (3).

One of ordinary skilled in the art recognizes the need to add the signal processing unit (12) that connect to the CPU (3) of Yamashita is desirable in an interactive communication of August et al. and Pope because August et al. suggest a control unit (110) configures a radio frequency (RF) transmitter (113) and radio frequency (RF) receiver (114) for operation on the frequency channel in a telecommunication circuit (i.e the circuitry comprises of 113, 114, 123 and 134) (col. 5, lines 2-7); and the transmitter (125) and infrared receiver (127) are used for transmitting and receiving infrared signals to and from other infrared controlled devices in a remote control circuit (i.e. the circuitry comprises of 125, 127, 129 and 130) (col. 5, lines 55-65) and Yamashita teaches that a remote control signal processor (12) connected to the remote control transmitter circuit, remote control receiver circuit (11) (radio unit) (col. 3, lines 27-33) and the control circuit (3) (i.e. CPU) wherein the control receiver and transmitter circuit for processing and frequency conversion of high frequency signals, and signal processing unit for processing signals (col. 3, lines 27-31), are used in order to increase the speed of signal processing. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use the signal processor units that connect the CPU of Yamashita into a wireless multi-function communication system of August et al. and Pope with the motivation for doing so would have been to provide faster speed of processing signal to control the telecommunication system and appliance control circuit.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nakano et al. (US# 5,901,366) disclose a program selection method and apparatus using cordless telephone set.

Mastromoro (US# 4,508,935) discloses a cordless telephone having a remote control function.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Au whose telephone number is (703) 305-4680. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached at (703) 305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-3906.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Scott Au

SA

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